

HOUSE BILL No. 1347

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2; IC 12-15-5; IC 12-21-4.5; IC 27-19-4-4.5.

Synopsis: Mental health matters. Requires the office of Medicaid policy and planning to reimburse under the Medicaid program: (1) certain advanced practice nurses for specified Medicaid services; (2) certain master's degree and doctoral degree students in specified fields who are interning at a community mental health center under the direct supervision of a licensed professional; and (3) licensed clinical addiction counselors who have obtained training in clinical supervision concerning clinical therapy. Establishes the committee on mental health provider workforce adequacy (committee) to study the availability of licensed professionals providing mental health and substance use services in Indiana. Requires the department of insurance (department), in consultation with the office of the secretary of family and social services, to review, study, and make recommendations concerning the capacity, training, and barriers to health navigators in assisting individuals in obtaining health insurance program coverage. Requires the committee and the department to report their findings to the interim study committee on public health, behavioral health, and human services before September 1, 2017.

Effective: July 1, 2016.

Kirchhofer

January 12, 2016, read first time and referred to Committee on Public Health.



Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

HOUSE BILL No. 1347

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 12-7-2-3.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2016]: **Sec. 3.1. "Advanced practice nurse", for purposes of**
4 **IC 12-15-5-14, has the meaning set forth in IC 12-15-5-14(a).**
5 SECTION 2. IC 12-7-2-35, AS AMENDED BY P.L.53-2014,
6 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2016]: Sec. 35. "Committee" means the following:
8 (1) For purposes of IC 12-15-33, the meaning set forth in
9 IC 12-15-33-1.
10 (2) For purposes of IC 12-17.2-3.6, the meaning set forth in
11 IC 12-17.2-3.6-1.
12 (3) **For purposes of IC 12-21-4.5, the meaning set forth in**
13 **IC 12-21-4.5-1.**
14 SECTION 3. IC 12-7-2-134, AS AMENDED BY P.L.160-2012,
15 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2016]: Sec. 134. "Office" means the following:
17 (1) Except as provided in subdivisions (2) through (4), the office



of Medicaid policy and planning established by IC 12-8-6.5-1.

(2) For purposes of IC 12-10-13, the meaning set forth in IC 12-10-13-4.

(3) For purposes of IC 12-15-5-14, the meaning set forth in IC 21-15-5-14(b).

(4) For purposes of IC 12-15-5-15, the meaning set forth in IC 21-15-5-15(a).

~~(5)~~ **(5)** For purposes of IC 12-15-13, the meaning set forth in IC 12-15-13-0.4.

~~(6)~~ **(6)** For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-4.

SECTION 4. IC 12-15-5-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 14. (a) As used in this section, "advanced practice nurse" means:**

(1) a nurse practitioner; or

(2) a clinical nurse specialist;

who is a registered nurse licensed under IC 25-23 and qualified to practice nursing in a specialty role based upon the additional knowledge and skill gained through a formal organized program of study and clinical experience, or the equivalent as determined by the Indiana state board of nursing.

(b) As used in this section, "office" includes the following:

(1) The office of the secretary of family and social services.

(2) A managed care organization that has contracted with the office of Medicaid policy and planning under this article.

(3) A person that has contracted with a managed care organization described in subdivision (2).

(c) The office shall reimburse eligible Medicaid claims for the following services submitted by an advanced practice nurse employed by a community mental health center if the services are part of the advanced practice nurse's scope of practice:

(1) Mental health services.

(2) Behavioral health services.

(3) Substance use treatment.

(4) Primary care services.

(5) Evaluation and management services for inpatient or outpatient psychiatric treatment.

(d) The office shall include an advanced practice nurse as an eligible provider for the supervision of a plan of treatment for a patient's outpatient mental health services.

SECTION 5. IC 12-15-5-15 IS ADDED TO THE INDIANA CODE



AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 15. (a)** As used in this section, "office" includes the following:

- (1) The office of the secretary of family and social services.
- (2) A managed care organization that has contracted with the office of Medicaid policy and planning under this article.
- (3) A person that has contracted with a managed care organization described in subdivision (2).

(b) The office shall authorize Medicaid reimbursement for eligible Medicaid services provided by a student who:

(1) is currently enrolled in a master's degree or doctoral degree level:

- (A) medical;
- (B) nursing;
- (C) mental health;
- (D) behavioral health; or
- (E) addiction treatment;

accredited college or university program; and

(2) has been approved by the college or university to work in an internship program at a community mental health center and is interning at the community mental health center under the direct supervision of a licensed professional who holds a master's degree or doctoral level degree related to the area of study.

SECTION 6. IC 12-15-5-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 16. (a)** As used in this section, "office" includes the following:

- (1) The office of the secretary of family and social services.
- (2) A managed care organization that has contracted with the office of Medicaid policy and planning under this article.
- (3) A person that has contracted with a managed care organization described in subdivision (2).

(b) The office shall reimburse a clinical addiction counselor licensed under IC 25-23.6 for providing to a Medicaid recipient an eligible Medicaid behavioral health or addictions service that is within the counselor's scope of practice if the clinical addiction counselor has obtained training in clinical supervision concerning clinical therapy that has been approved by the division of mental health and addiction.

SECTION 7. IC 12-21-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2016]:

Chapter 4.5. Committee on Mental Health Provider Workforce Adequacy

Sec. 1. As used in this chapter, "committee" refers to the committee on mental health provider workforce adequacy established by section 2 of this chapter.

Sec. 2. (a) The committee on mental health provider workforce adequacy is established. The committee shall study the availability of licensed professionals providing mental health and substance use services in Indiana.

(b) The committee shall include the following members:

(1) Four (4) members of the general assembly appointed as follows, who shall serve as nonvoting members:

(A) Two (2) members of the senate, one (1) from each political party, appointed by the president pro tempore of the senate with advice from the minority leader of the senate.

(B) Two (2) members of the house of representatives, one (1) from each political party, appointed by the speaker of the house of representatives with advice from the minority leader of the house of representatives.

(2) The director of the division, or the director's designee, who shall serve as chairperson.

(3) The director of the office of Medicaid policy and planning, or the director's designee.

(4) The executive director of the Indiana professional licensing agency, or the executive director's designee.

(5) The following members appointed by the governor:

(A) One (1) individual representing a community mental health center association.

(B) One (1) individual representing a mental health consumer association.

(C) One (1) individual representing psychiatrists.

(D) One (1) individual representing health service providers in psychology.

(E) One (1) individual representing licensed mental health counselors.

(F) One (1) individual representing licensed marriage and family therapists.

(G) One (1) individual representing licensed social workers with a master's degree in social work.

(H) One (1) individual representing licensed clinical



addiction counselors.

(I) One (1) individual representing physicians.

(J) One (1) individual representing nurses.

(c) The division shall staff the committee.

(d) The affirmative votes of a majority of the voting members on the committee are required for the committee to take action on any measure, including final reports.

(e) Each member of the committee who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) Each member of the committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the committee who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

Sec. 3. (a) The committee shall study the following:

(1) The current licensure standards and scope of practice requirements for:

(A) physicians;

(B) nurses;

(C) mental health professionals; and

(D) substance use treatment professionals;

to consider possible changes in these standards and requirements to address the shortage of mental health and substance use treatment professionals in Indiana.

(2) The impact of any recommended changes to standards and requirements in subdivision (1) on the quality of care and access for health consumers, including Medicaid recipients.



(3) The benefits and risks of offering reciprocity for individuals licensed or certified in other states in order to address the mental health and substance use treatment services shortage in Indiana.

(4) The curriculum at Indiana colleges and universities for medical related programs, including:

(A) medical school curriculum;

(B) nursing school curriculum;

(C) social work program curriculum;

(D) mental health program curriculum; and

(E) substance use treatment program curriculum;

and the impact the curriculum at each school or program has on the shortage of mental health professionals in Indiana.

(5) The level of funding that would be appropriate for the mental health services development loan repayment program (IC 21-44-6) to further develop behavioral health professionals in Indiana.

(b) Before September 1, 2017, the committee shall report, in writing and in electronic format under IC 5-14-6, to the interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4 the committee's findings under this chapter.

Sec. 4. This chapter expires December 31, 2017.

SECTION 8. IC 27-19-4-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 4.5. (a)** The department shall, in consultation with the office of the secretary of family and social services, review, study, and make recommendations concerning the current capacity, training, adequacy, and barriers to navigators who provide assistance to individuals in applying for and obtaining public health insurance program coverage.

(b) Before September 1, 2017, the department shall report, in writing and in an electronic format under IC 5-14-6, the department's findings under this section to the interim study committee on public health, behavioral health, and human services established by IC 2-5-1.3-4.

(c) This section expires December 31, 2017.

